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10/672,980	09/26/2003	Laurent Denoue	FX/A2005	3512

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EXAMINER	
HUR, ECE	

ART UNIT	PAPER NUMBER
2175	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,980	DENOUE ET AL.	
	Examiner	Art Unit	
	ECE HUR	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *04/09/2004, 05/07/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to application filed on September 26, 2003 in which Claims 1-40 are presented for examination.

Status of Claims

Claims 1-40 are pending in the case. Claims 1, 24, 25, 26, 30, 31, 34, 38, 39 and 40 are the independent Claims.
Claims 1, 3, 20 and 34-36 are rejected under 35 U.S.C. 112, second paragraph.
Claim 38 is rejected under 35 U.S.C. 101.
Claims 1- 40 are rejected under 35 U.S.C. 103(a).

Information Disclosure Statement Acknowledgement and Objection

The information disclosure statements filed on April 9, 2004 and May 7, 2004 has been placed in the application file, the information referred to therein has not been considered as to the merits completely. IDS includes non-patent –literature, 37 CFR 1.57(d) states that incorporation by reference by hyperlink or other form of browser executable code is not permitted. Examples of a hyperlink or a browser-executable code are a URL placed between these symbols "< >" and http:// followed by a URL address.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 20, and 34-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, because Claims recite "can".

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 38 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, specifically directed towards Signals.

Regarding Claim 38, Claim 38 is referring to "data signal stored in transmission medium", transmission medium could be anything, therefore it is directed non-statutory subject matter.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-13, 15-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riecken, "Adaptive Direct Manipulation" in view of Nelson, US 20040008635.

Regarding Claim 1, Riecken discloses the claimed aspect of a method for displaying a representation of content, comprising: monitoring user behavior while interacting with a first representation of content; determining interaction information from the user behavior; maintaining the interaction information; and deforming a second representation of content using the interaction information, wherein Graphical user interface is adapted to the behavior and performance of a user by extending this design approach so as to provide a system with the ability to dynamically adapt its GUI based on the realtime behavior of a user, a system must be able to dynamically adapt the physical layout of interactive graphical objects based on a priori knowledge of the user's actual hand and the user's behavior of interaction with the respective graphical objects. (Riecken, Pages 1116, 1117, 1118, 1119, frequency, how often, recency).

Riecken does not teach specifically the claimed aspect of digital content, discloses graphical objects. (Riecken, Abstract, graphical objects). Applicant should duly note that graphical objects could be digital content. Even if not, Nelson discloses the claimed aspect of digital content in a multi-participant conference system with controllable content. (Nelson, Abstract, FIG.14). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Riecken's layout based on user behavior concept with Nelson's digital content delivery, because this would allow multi-participants to adjust their layout specifically if they are using different devices or if they have want to have a personalized viewing environment.

Regarding Claims 2 and 3, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of deforming a second representation can include deforming an active area of the second representation and can include deforming a layout of the second representation., wherein Adaptive Direct Manipulation dynamically adapts the presentation and management of interactive graphical objects based on the performance behavior of the user. Applicant should duly note that graphical objects are interactive. (Riecken, Abstract).

Regarding Claim 4, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of the first and second representation are of the same content, because it is rearranging the layout. Riecken discloses the claimed aspect of graphical object, however does not specifically disclose the claimed aspect of digital content. It would be obvious to one of ordinary skill in the art at the time of the invention to add digital content Riecken's layout manipulation concept, because digital content is widely used. Even if not, Nelson discloses the claimed aspect of digital content in a multi-participant conference system with controllable content. It would be obvious to one of ordinary skill in the art at the time of the invention to combine Riecken's layout based on user behavior concept with Nelson's digital content delivery, because this would allow multi-participants to adjust their layout specifically if they are using different devices or if they have want to have a personalized viewing environment.

Regarding Claim 5, most of the limitations have been met in the rejection of Claim 4. See details for Claim 4 rejection. Nelson discloses the claimed aspect of the digital content is at least one of a web page, a digital document, a digital image, an electronic book, a digital slide, and a graphical user interface, wherein a graphical user interface and plurality of participants(audio/video stream for each participant) conferencing environment are provided. (Nelson, Abstract, Page 1, Paragraphs 0003, 0005).

Regarding Claim 6, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of the second representation is scaled in relation to the first representation, wherein second layout on the graphical objects are rearranged in relation to the first version. (Riecken, Pages 1116, 1117, 1118).

Regarding Claims 7 and 8, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Nelson discloses the claimed aspect of the first representation is a representation of first digital content and the second representation is a representation of second digital content and first representation is a representation of a first graphical user interface and the second representation is a representation of a second graphical user interface in FIG. 8, wherein different participants view different layout of the graphical representation with digital content.

Regarding Claims 9 and 10, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of monitoring user behavior while interacting with the first representation comprises: monitoring user interaction with the first representation of digital content; and determining interaction areas from the user interaction with the first representation and evaluating user interaction with the interaction areas, wherein Graphical user interface is adapted to the behavior and performance of a user by extending this design approach so as to provide a system with the ability to dynamically adapt its GUI based on the realtime behavior of a user, a system must be able to dynamically adapt the physical layout of interactive graphical objects based on a priori knowledge of the user's actual hand and the user's behavior of interaction with the respective graphical objects. (Riecken, Pages 1116, 1117, 1118, 1119, frequency, how often, recency).

Regarding Claim 11, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. The rejection for Claim 5 applies to Claim 11. See rejection details for Claim 5.

Regarding Claim 12, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of maintaining the interaction information includes maintaining the interaction information with an identification of the content from which the interaction information was determined,

wherein the system keeps a relation between the graphical objects and user's behavior. (Riecken, Page 1116, 1117).

Regarding Claim 13, most of the limitations have been met in the rejection of Claim 9. See details for Claim 9 rejection. Riecken discloses the claimed aspect of deforming the second representation comprises: determining corresponding interaction areas of the second representation; deforming the corresponding interaction areas, wherein the second presentation is formed based on user's behavior. (Pages 1116, 1117, 1118, 1119, frequency, how often, recency).

Regarding Claim 15, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of aspect of deforming the second representation. Riecken does not teach the claimed aspect of applying an animation to areas of the second representation using the interaction information, however Nelson discloses the claimed aspect, wherein video conferencing environment is illustrated. (Nelson, Abstract, FIG. 7, FIG.8).

It would be obvious to one of ordinary skill in the art at the time of the invention to add video/animation concept of Nelson to Riecken's interface layout based on user behavior, because this would allow the user more efficient video conferencing.

Regarding Claim 16, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of determining interaction information from the user behavior includes determining a degree of interaction with at least one area of the first representation, wherein the user behavior such as frequency and recency is taking in consideration. (Riecken, Page 1119).

Regarding Claim 17, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of determining interaction information from the user behavior includes determining a sequence of interaction with the first representation, wherein the frequency, recency, quantifications of touches to buttons. (Riecken, Page 1119).

Regarding Claim 18, most of the limitations have been met in the rejection of Claim 17. See details for Claim 17 rejection. Riecken does not specifically disclose the claimed aspect of determining a sequence of interaction with the first representation, comprises: determining an order in which interaction areas of the first representation are selected, however it would be obvious to one of ordinary skill in the art at the time of the invention to consider the user's behavior such the order they touch areas in the graphical user interface, because if the user for example selects the very last item on the graphical user interface first it would be obvious to one of ordinary skill in the art at

the time of the invention to rearrange the user interface accordingly for efficiency reasons.

Regarding Claim 19, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken does not specifically teach the claimed aspect of first representation is not deformed when deforming the second representation. However, Nelson discloses the claimed aspect of different layouts for each participant, it would be obvious to one of ordinary skill in the art at the time of the to keep the original version of the graphical user interface as well, because this would allow the user to go back to the original layout if they want to.

Regarding Claim 20, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of the first and second representation are representations of the same content, and wherein: the second representation can be deformed without modifying the content, wherein the graphical interface is reformed without changing the content. Riecken discloses graphical objects on the graphical user interface, however it does not specifically disclose the claimed aspect of digital, however it would be obvious to one of ordinary skill in the art at the time of the invention to add digital content to Riecken's graphical user interface because digital content is commonly used such video, music content.

Regarding Claim 21, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Riecken discloses the claimed aspect of maintaining the interaction information comprises storing the interaction information at least one of a client-side device, a server, and a proxy server, wherein Adaptive Direct Manipulation consists of graphical objects, graphical user interface and computer. (Riecken, Page 1115, blackboard technology).

Regarding Claim 22, most of the limitations have been met in the rejection of Claims 4 and 1. See details for Claims 4 and 1 rejection. Riecken discloses the claimed aspect of maintaining the interaction information comprises: adding the interaction information to a file containing data for the content, wherein the user behavior and the related content is kept together. (Riecken, Page 1118).

Regarding Claim 23, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection. Nelson discloses the claimed aspect of monitoring user behavior while interacting with a first representation of digital content comprises monitoring a first user's behavior while interacting with the first representation; and deforming a second representation of digital content using the interaction information comprises deforming a second representation presented to a second user in FIG. 15, wherein user activity is monitored 224 and in FIG. 8, wherein different interface layout is illustrated for each user.

Regarding Claim 24, the rejection for Claim 1 applies to Claim 24. See rejection details for Claim 1.

Regarding Claim 25, the rejection for Claims 1, 2 and 9 apply to Claim 25. See rejection details for Claims 1, 2 and 9.

Regarding Claim 26, the rejection for Claims 1, 13 and 9 apply to Claim 26. See rejection details for Claims 1, 13 and 9.

Regarding Claim 27, most of the limitations have been met in the rejection of Claim 26. See details for Claim 26 rejection. The rejection for Claim 20 applies to Claim 27. See rejection details for Claim 20.

Regarding Claim 28, most of the limitations have been met in the rejection of Claim 26. See details for Claim 26 rejection. The rejection for Claim 1 applies to Claim 28. See rejection details for Claim 1.

Regarding Claim 29, most of the limitations have been met in the rejection of Claim 28. See details for Claim 28 rejection. The rejection for Claim 5 applies to Claim 29. See rejection details for Claim 5.

Regarding Claim 30, the rejection for Claim 1 applies to Claim 30. See rejection details for Claim 1.

Regarding Claim 31, the rejection for Claims 1, 2, 3, and 11 apply to Claim 31. See rejection details for Claims 1, 2, 3 and 11.

Regarding Claim 32, most of the limitations have been met in the rejection of Claim 31. See details for Claim 31 rejection. The rejection for Claims 1 and 13 apply to Claim 32. See rejection details for Claims 1 and 13.

Regarding Claim 33, most of the limitations have been met in the rejection of Claim 31. See details for Claim 31 rejection. The rejection for Claim 5 applies to Claim 33. See rejection details for Claim 5.

Regarding Claim 34, the rejection for Claims 1, 2 and 3 apply to Claim 34. See rejection details for Claims 1, 2 and 3.

Regarding Claims 35 and 36, most of the limitations have been met in the rejection of Claim 34. See details for Claim 34 rejection. The rejection for Claims 12 and 13 apply to Claim 35. See rejection details for Claims 12 and 13.

Regarding Claim 37, most of the limitations have been met in the rejection of Claim 36. See details for Claim 36 rejection. The rejection for Claim 20 applies to Claim 37. See rejection details for Claim 20.

Regarding Claim 38, the rejection for Claims 1, 2 and 3 apply to Claim 38. See rejection details for Claims 1, 2 and 3.

Regarding Claim 39, the rejection for Claims 1, 2 and 3 apply to Claim 39. See rejection details for Claims 1, 2 and 3.

Regarding Claim 40, the rejection for Claims 1, 2 and 3 apply to Claim 40. See rejection details for Claims 1, 2 and 3.

Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riecken, "Adaptive Direct Manipulation" in view of Nelson, US 20040008635 and in further view of Robertson, "The Task Gallery: A 3 D Window Manager.

Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riecken, "Adaptive Direct Manipulation" in view of Nelson, US 20040008635 in further view of Robertson, "The Task Gallery: A 3D Window Manager".

Regarding Claim 14, most of the limitations have been met in the rejection of Claim 13. See details for Claim 13 rejection. Riecken does not disclose the claimed aspect of deforming the corresponding interaction areas includes at least one of enlarging the interaction areas, applying a fisheye perspective to the interaction areas, and zooming the interaction areas. Nelson discloses the claimed aspect of zooming the interaction areas in FIG. 13. Riecken and Nelson do not teach the claimed aspect of fisheye effect. Robertson discloses the claimed aspect of in FIG. 1, wherein fisheye effect is illustrated. It would be obvious to one of ordinary skill in the art at the time of the invention to add the fisheye effect to Riecken's layout manipulation and Nelson's digital content delivery system, because this would allow the user to view from wide angles.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1) Chiu et al., US 20040169683, 09/02/2004, "System and Methods for bookmarking live and recorded multimedia documents".

2) Douglas et al., US 20050033657, 02/10/2005, "Personalized Content Management and Presentation Systems".

3) Calahan, US 7,058,940, 06/06/2006, "System and Method for Extending Application Functionality and Content".

4) Wobbrock et al., 2002, Paris, France, "WebThumb: Interaction Techniques for Small-Screen".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is 571 270-1972. The examiner can normally be reached on MONDAY-THURSDAY 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM BASHORE can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ece Hur
E.H./e.h.

August 6, 2008

/Kieu D Vu/

Primary Examiner, Art Unit 2175